



15 SEP 2006

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In re Application of :
HASEGAWA, Tadashi :
Application No.: 10/521,945 :
PCT No.: PCT/JP02/07402 :
Int. Filing Date: 22 July 2002 :
Priority Date: None :
Attorney's Docket No.: 1466.1102 :
For: ELECTRONIC MAIL SERVER, :
METHOD FOR RELAYING . . . :

DECISION ON

PETITION

UNDER 37 CFR 1.182

This decision is in response to applicant's "Petition to the Director Under 37 C.F.R. Section 1.182 Requesting Conversion of a 371 Application into a 111(A) Application" filed 09 August 2006. The \$400.00 fee has been paid.

BACKGROUND

On 22 July 2002, applicants filed international application PCT/JP02/07402. No priority date was claimed. Accordingly, the thirty-month period for paying the basic national fee in the United States expired at midnight on 24 January 2005 (22 January 2005 was a Saturday).

On 21 January 2005, applicants submitted a transmittal letter for entry into the national stage in the United States, accompanied by the basic national fee and an executed declaration.

On 24 August 2005, the DO/EO/US mailed a Notification of Acceptance (Form PCT/DO/EO/903) indicating that the requirements under 35 U.S.C. §371(c)(1), (2) and (4) were satisfied on 21 January 2005.

On 09 August 2006, applicants filed the instant petition to convert.

DISCUSSION

U.S. Statutes and Regulations do not make specific provision for the requested action and as such the Office does not grant such petitions for conversion as a mere matter of course. The Office will only grant such petitions upon a showing by applicant

of sufficient cause (e.g., the loss of patent rights) where no other remedy is available.

In the present petition, applicants have not made a showing that a loss of patent rights would occur if the above-captioned application is a filing under 35 U.S.C. §371. Further, applicants have not explained why the filing of a continuation application under 35 U.S.C. §111 would be inadequate.

CONCLUSION

As discussed above, applicant's petition under 37 CFR 1.182 is **DISMISSED** without prejudice.

Any further correspondence with respect to this matter should be addressed to the Mail Stop PCT, Commissioner for Patents, Office of PCT Legal Administration, P.O. Box 1450, Alexandria, Virginia 22313-1450, with the contents of the letter marked to the attention of the Office of PCT Legal Administration.

This application is being returned to Group Art Unit 2157 for continued processing.



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